

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Berthold Electric Company
DOCKET NO.: 03-29680.001-I-1 et al; 04-24721.001-I-1 et al; and
05-22618.001-I-1 et al
PARCEL NO.: See Pages 3 & 4

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are Berthold Electric Company, the appellant, by Attorney Michael J. Nolan in Chicago; and the Cook County Board of Review.

The subject property consists of eight land parcels comprising 45,308 square feet. Two of the parcels contain improvements, while the remaining six parcels are vacant land. The improvements are a one-story and three-story, masonry, industrial building built in stages from 1926 to 1928. The improvement contains 25,543 square feet of building area and is used as a garage/warehouse building.

Prior to a hearing, the parties jointly petitioned the PTAB to render a decision based upon the written evidence; and thereby, waive their hearing rights. Further, the PTAB finds that these matters are ripe for consolidation for the tax appeal years 2003 through 2005 are in the same triennial reassessment period, while the parties and evidence submissions are similar.

The appellant's attorney argued that the fair market value of the subject was not accurately reflected in its assessed value.

For property tax years 2003 through 2005, the appellant submitted a complete, self-contained appraisal report as of January 1, 2003 and identified the date of appraiser's inspection as August 26, 2003. The purpose of the appraisal was to estimate the market value of the fee simple interest in the real estate for the subject property. The appellant's appraisal was conducted by Rufino Arroyo, a Certified General Real Estate Appraiser as well

(Continued on Next Page)

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the COOK County Board of Review is warranted. The correct assessed valuations of the property are:

LAND: See Page 3 & 4
IMPROV: See Page 3 & 4
TOTAL: See Page 3 & 4

Subject only to the State multiplier as applicable.

PTAB/KPP

Docket# 03-29680.001-I-1, 04-24721.001-I-1 & 05-22618.001-I-1 et al

as Gary I. Peterson, who also holds the designation of Member of the Appraisal Institute. The appraisers provided an estimate of market value as of January 1, 2003 at \$560,000.

The appraisal developed the highest and best use of the subject, as vacant, would be vacant or to utilized as parking for the neighboring industrial properties. The highest and best use, as improved, was the property's continued use as an industrial facility for the balance of its economic life.

The appraisal developed the three traditional approaches to value. The cost approach reflected a value estimate of \$570,000, the income approach reflected an estimate of \$560,000, while the sales comparison approach to value reflected a value estimate of \$560,000.

In inspecting the subject property, the appraisers found the subject to be in average physical condition; however, they noted that the subject has a below average functional utility. Specifically, the appraisers stated that: the subject's three-story configuration lacked a functional elevator; there was an absence of loading docks; and that the subject contained a low ceiling clearance as compared to current industry standards in the warehouse section.

Under the cost approach to value, the appraisers determined that 20,913 square feet of land, which comprised the main site where the improvements are sited was accorded a land value of \$85,000, rounded. The adjacent vacant parcels of land were considered excess land. Therefore, the appraisers estimated that the remaining 24,395 square feet of land contained a value of \$100,000, rounded.

In reconciling the approaches to value, the appraisers placed primary consideration on the sales comparison approach to value estimating the subject's market value to be \$560,000 as of the assessment dates at issue. Based upon the totality of evidence, the appellant requested a reduction in the subject's assessment for property tax years 2003 through 2005, which reflects an entire triennial reassessment period for this subject property.

The board of review presented "Board of Review Notes on Appeal" wherein the subject's final assessment for the eight parcels of \$278,524 reflected a market value of \$773,678 applying the Cook County Ordinance level of assessment of 36%. However, the PTAB noted that this calculation was erroneous in light of the fact that this eight-parcel subject contains not only industrial classified land, but also vacant land.

Docket# 03-29680.001-I-1, 04-24721.001-I-1 & 05-22618.001-I-1 et al

In the 2003 appeal year, the board of review submitted copies of CoStar Comps printouts relating to four properties. The unadjusted data indicated a range of values was from \$34.46 to \$83.63 per square foot. In both the 2004 and 2005 tax appeal year, the board of review submitted copies of CoStar Comps printouts relating to the same five properties. The unadjusted data indicated a range of values was from \$45.83 to \$83.63 per square foot. Further, the CoStar printouts indicated that the information reflected therein was obtained from sources deemed reliable, but not guaranteed. Based upon its analyses, the board of review requested confirmation of the fair market value of the subject as of the assessment dates at issue.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

When overvaluation is claimed, the appellant has the burden of proving the value of the property by a preponderance of the evidence. See National City Bank of Michigan/Illinois v. Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002) and Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2nd Dist. 2000). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill. Admin. Code 1910.65(c). Having considered the evidence presented, the PTAB finds that the appellant has met this burden and that a reduction is warranted.

The PTAB finds that the best evidence of the subject's market value for tax years 2003 through 2005 is the appellant's appraisal with an effective date of January 1, 2003 indicating a market value of \$560,000, with \$460,000 value attributed to the improved, industrial parcels and \$100,000 attributed to the vacant land parcels. Since the market value of this subject has been established, the ordinance level of assessment for Cook County class 5b property of 36% and for vacant land of 22% will apply. This application indicates a total assessed value of \$187,600. Since the subject's current total assessment stands at \$278,524, a reduction is merited.

Based upon the evidence, the PTAB finds that the appellant has demonstrated that the subject property is overvalued for tax years 2003 through 2005. Therefore, a reduction in the subject's market value and assessment is warranted for these years.

<u>DOCKET #</u>	<u>PIN</u>	<u>LAND</u>	<u>IMPROVEMENT</u>	<u>TOTAL</u>
-----------------	------------	-------------	--------------------	--------------

Docket# 03-29680.001-I-1, 04-24721.001-I-1 & 05-22618.001-I-1 et al

03-29680.001-I-1	17-07-400-019	\$14,542	\$76,538	\$91,080
03-29680.002-I-1	17-07-400-020	\$ 3,337	\$71,183	\$74,520
03-29680.003-I-1	17-07-400-004	\$ 7,699	\$ 0	\$ 7,699
03-29680.004-I-1	17-07-400-005	\$ 3,144	\$ 0	\$ 3,144
03-29680.005-I-1	17-07-400-006	\$ 1,725	\$ 0	\$ 1,725
03-29680.006-I-1	17-07-400-007	\$ 3,144	\$ 0	\$ 3,144
03-29680.007-I-1	17-07-400-008	\$ 3,144	\$ 0	\$ 3,144
03-29680.008-I-1	17-07-400-009	\$ 3,144	\$ 0	\$ 3,144

DOCKET #	PIN	LAND	IMPROVEMENT	TOTAL
04-24721.001-I-1	17-07-400-019	\$14,542	\$76,538	\$91,080
04-24721.002-I-1	17-07-400-020	\$ 3,337	\$71,183	\$74,520
04-24721.003-I-1	17-07-400-004	\$ 7,699	\$ 0	\$ 7,699
04-24721.004-I-1	17-07-400-005	\$ 3,144	\$ 0	\$ 3,144
04-24721.005-I-1	17-07-400-006	\$ 1,725	\$ 0	\$ 1,725
04-24721.006-I-1	17-07-400-007	\$ 3,144	\$ 0	\$ 3,144
04-24721.007-I-1	17-07-400-008	\$ 3,144	\$ 0	\$ 3,144
04-24721.008-I-1	17-07-400-009	\$ 3,144	\$ 0	\$ 3,144

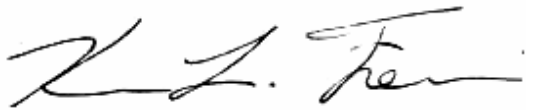
DOCKET #	PIN	LAND	IMPROVEMENT	TOTAL
05-22618.001-I-1	17-07-400-019	\$14,542	\$76,538	\$91,080
05-22618.002-I-1	17-07-400-020	\$ 3,337	\$71,183	\$74,520
05-22618.003-I-1	17-07-400-004	\$ 7,699	\$ 0	\$ 7,699
05-22618.004-I-1	17-07-400-005	\$ 3,144	\$ 0	\$ 3,144
05-22618.005-I-1	17-07-400-006	\$ 1,725	\$ 0	\$ 1,725
05-22618.006-I-1	17-07-400-007	\$ 3,144	\$ 0	\$ 3,144
05-22618.007-I-1	17-07-400-008	\$ 3,144	\$ 0	\$ 3,144
05-22618.008-I-1	17-07-400-009	\$ 3,144	\$ 0	\$ 3,144

Docket# 03-29680.001-I-1, 04-24721.001-I-1 & 05-22618.001-I-1 et al

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.




Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: April 25, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

Docket# 03-29680.001-I-1, 04-24721.001-I-1 & 05-22618.001-I-1 et al

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.